

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. C 01-3767 CW  
ORDER GRANTING  
PETITION FOR WRIT  
OF HABEAS CORPUS

ROMESH CHANDER KANDA,

Petitioner,

v.

CARL LARSON, Warden, Salinas Valley  
State Prison, and THE ATTORNEY  
GENERAL OF THE STATE OF CALIFORNIA,

Respondents.

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Petitioner Romesh Chander Kanda, a State prisoner currently incarcerated at Salinas Valley State Prison in Soledad, California, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On February 17, 2004, the Court denied Petitioner's petition. Petitioner appealed. The Ninth Circuit reversed and remanded.

For the reasons set forth in the Ninth Circuit's memorandum, Petitioner's petition for writ of habeas corpus is GRANTED. Petitioner's conviction is VACATED and Respondent is ordered to release Petitioner from custody within ninety (90) days of the date

1 of this order unless the State of California reinstitutes criminal  
2 proceedings against him.

3 IT IS SO ORDERED.

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5  
6 Dated: 5/12/06



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CLAUDIA WILKEN  
United States District Judge